

**SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA
COMMITTEE ON APPROPRIATIONS**

UNITED STATES HOUSE OF REPRESENTATIVES

THE HONORABLE JOE KNOLLENBERG, CHAIRMAN



TESTIMONY OF

**MARGRET NEDELKOFF KELLEMS, ESQ.
DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE
WASHINGTON, DISTRICT OF COLUMBIA**

APRIL 10, 2002

1:30 P.M.

Good afternoon, Chairman Knollenberg, Congresswoman Norton, and members of the Subcommittee. I am Margret Nedelkoff Kellems, Deputy Mayor for Public Safety and Justice for the District of Columbia. I am pleased to have the opportunity to testify before you today about several important public safety issues in the District of Columbia. With me today from District agencies are Chiefs Charles Ramsey and Ronnie Few, Emergency Management Agency (EMA) Director Peter LaPorte, and Director of Child and Family Services Agency, Olivia Golden. Each of the agency executives will be covering specific topics and agency issues in more detail than I will. I will touch briefly on the issues of court overtime and how it has been addressed over the past year and also briefly on the Family Court that Director Golden will discuss more fully. I will focus more on the Mayor Williams's efforts to build an Emergency Preparedness capacity to meet the needs of our Nation's Capital during these extraordinary times.

As you know, reducing police overtime in court has been an issue that the criminal justice community in the District, most notably Metropolitan Police Department (MPD), Superior Court, the Office of Corporation Counsel, and the US Attorney's office have focused substantial attention over recent years. Law enforcement officers are a scarce but critical resource in building safe neighborhoods. As you can imagine, District residents consistently voice their desire to see more police on the streets. As a government, one of our goals must be to maximize the amount of time our officers spend in our communities, but ensuring that in the process we do not compromise the effective administration of justice.

Over the past year, MPD, Superior Court, Office of Corporation Counsel, the United States Attorney's Office, and other federal justice agencies have worked both independently and collaboratively on a number of projects to reduce court overtime. Among those projects undertaken are a project to reengineer the paperwork process associated with arrests; a project focusing on the differentiated case management of court cases to expedite adjudication of certain types of offenses; a mental health case management project to divert qualified individuals from the jail system; a community court project; and numerous information technology projects.

The respective agency executives will discuss some of these programs in greater detail. What is notable about these projects is that collectively they have made measurable differences in court overtime, and, more importantly, none were particularly costly. These operational improvements were enabled through the combination of the structure of the District of Columbia Criminal Justice Coordinating Council (CJCC), and resources that flowed through that body from the Office of the Corrections Trustee (OCT). The CJCC, as you know, was created as an independent District agency in this fiscal year; for the previous year and a half, the CJCC had no dedicated funding. Even without funding, however, the CJCC, previously a group existing only as a body bound by a memorandum of understanding, continued to serve as a forum for our local and federal criminal justice agencies and elected representatives to discuss coordination problems that are endemic to criminal justice systems, like court overtime, and develop solutions amenable to all.

But for the nearly \$2 million over two years from the OCT in conjunction with the CJCC, the operational improvements to reduce court overtime projects at worst would

not have been realized at all, and at best would have been realized on a much slower timeline. We hope that as you consider resource levels in FY03 – a need we estimate at approximately \$1.3 million -- you will continue to provide the CJCC with funding so that these or other similar projects may continue and enhance the quality of the administration of justice in the District of Columbia.

I will turn briefly to the topic of District of Columbia Family Court Act of 2001, which, as you know, was signed by the President in January of this year. Director Golden will be speaking in greater detail on this subject. I will just underscore that the creation of a Family Court that uses a teamwork model to focus on families as a whole is one more example of the important collaborative reforms that are happening in the District to improve services to the citizens of this city. We are deeply appreciative of the support that Superior Court and Congress has offered in this area.

I would like to turn to the topic of the Emergency Preparedness, which has been a focal point for this city and the Mayor since the events of September 11, 2001. Under the leadership of Mayor Williams, the District has improved dramatically in its emergency preparedness, establishing a permanent infrastructure and disaster response capacity for our Nation's capital. Together with the City Administrator, I co-chair a permanent Cabinet-level Emergency Preparedness Council (EPC), which consists of chief executives of agencies that have a role in planning for, responding to, and/or recovering from a public emergency affecting the District of Columbia. The EPC has been and will continue to meet on a regular basis to provide direction for the City's overall preparedness, coordinate continuous improvements to our newly revised District Response Plan (DRP), and ensure training and exercising of the DRP to continually

examine and improve the District's readiness and response capabilities. As you know, on January 2, 2002, the Mayor transmitted the DRP to the Congress.

Developing an operating infrastructure, however, is only the first step in ensuring preparedness. Thanks to the support of Congress, the District government received approximately \$156,000,000, along with \$39,100,000 going to WMATA, to support the implementation of the DRP. We recognize the significance of this federal support and we are committed to using these resources on time, in accordance with Congress's intent, and in a way that maximizes the District's state of preparedness to deal with any disasters that may arise.

As you may well imagine, such a large influx of resources creates new management pressures on District support agencies. I would briefly like to discuss the management infrastructure that we have put into place to ensure the highest level of financial and programmatic accountability for the federal dollars we have received.

As you know, the federal appropriation is split into 12 Federal Payment Categories to District agencies that spell out specific use of funds, as well as payments to the Washington Metropolitan Area Transit Authority and the Metropolitan Washington Council of Governments. Funds are allocated across the 12 Federal Payment Categories as follows:

Protective Clothing and Breathing Apparatus	\$7,144,000
Specialized Hazardous Materials Equipment	\$1,032,000
Chemical and Biological Weapons Preparedness	\$10,355,000
Pharmaceuticals for Responders	\$2,100,000
Response and Communications Capability	\$14, 960,000

Search, Rescue and Other Emergency Equipment and Support	\$8,850,000
Equipment, Supplies and Vehicles for the Office of the Chief Medical Examiner	\$1,780,000
Hospital Containment Facilities for the Department of Health	\$8,000,000
Office of the Chief Technology Officer	\$45,494,000
Emergency Traffic Management	\$20,700,000
Training and Planning	\$9,949,000
Increased Facility Security	\$25,536,000
Washington Metropolitan Area Transit Authority	\$39,100,000

All of these funds have been strategically allocated across District agencies based on identified needs. Every agency that is to receive federal funds has developed a spending plan that identifies what resources will be purchased and over what time period. These spending plans ensure that we have a mechanism to track and benchmark our progress in spending federal emergency preparedness funds. As you know, we already have submitted our first quarterly financial report to you and will continue to update you on our progress every three months.

In addition to agency-specific spending plans, we also are creating a centralized procurement unit to focus exclusively on purchasing against domestic preparedness funds. This unit will ensure that emergency preparedness procurement requests, particularly the most time-sensitive, are processed on their own, prioritized procurement schedule, utilizing expedited procurement techniques. Having a unit dedicated to cover these funds has an added advantage of ensuring a level of consistency and cost effectiveness across District agencies that may be purchasing similar goods or services.

From the financial perspective, expenditures are monitored closely to ensure that they are in line with the spending plans submitted by each agency and are in accordance with the agency quarterly apportionment request. Within the federal categories listed above, funds were allocated across District of Columbia agencies as follows:

Allocation of District of Columbia Emergency Preparedness Funds		
Purpose	Agency	Appropriated Amount
Protective Clothing and Breathing Apparatus	DC FEMS	\$922,000
Total: \$7,144,000	MPD	\$4,269,000
	DOH	\$1,500,000
	DPW	\$453,000
Specialized Hazardous Materials Equipment	Fire EMS	\$1,032,000
Chemical and Biological Weapons Preparedness	DC FEMS	\$205,000
Total: \$10,355,000	MPD	\$258,000
	DOH	\$9,892,000
Pharmaceuticals for Responders	DOH	\$2,100,000
Search, Rescue and Other Equipment & Support	MPD	\$5,442,000
Total \$8,850,000	DC FEMS	\$208,000
	DCRA	\$398,500
	DPW	\$1,178,500
	DHS	\$542,000
	DMH	\$1,081,000
Response and Communications	DC FEMS	\$7,755,000
Total \$14,960,000	MPD	\$5,855,000
	DDOT	\$113,000
	DPW	\$60,000
	OPM	\$58,000
	DOH	\$750,000
	DHS	\$309,000
	DPR	\$60,000
Equipment, Supplies, Vehicles for Office of the Chief Medical Examiner	OCME	\$1,780,000
Hospital Containment Facilities	DOH	\$8,000,000
Office of the Chief Technology Officer	OCTO	\$45,494,000
<i>* For first response land line and wireless interoperability across local and federal agencies</i>		
Emergency Traffic Management	DDOT	\$20,700,000
<i>* For upgrade of traffic light controllers and video traffic monitoring system</i>		
Training and Planning	DC FEMS	\$4,400,000
Total: \$9,949,000	MPD	\$990,000
	DOH	\$1,200,000
	OCME	\$200,000
	OPM	\$500,000
	DMH	\$500,000

Allocation of District of Columbia Emergency Preparedness Funds		
Purpose	Agency	Appropriated Amount
	DCRA	\$469,000
	DPW	\$240,000
	DDOT	\$750,000
	DHS	\$600,000
	DPR	\$100,000
Increased Facility Security	EMA	\$3,900,000
Total: \$25,536,000	DCPS	\$14,575,000
	OPM	\$7,061,000

The District received its first quarterly allocation of funds in mid-February, approximately two months ago. Nevertheless, because of the work we already had done in preparation, between that time and the date of our first quarterly report, we were able to expend or obligate over \$13 million. Since the submission of that report, we have continued to use our federal resources and an estimated \$31 million in federal funds have been expended or obligated to date. Among the items that we already have begun to procure are Fire/EMS response apparatus and hazmat equipment for our first responders. Furthermore, we have expedited training for our Fire/EMS specialized response units. Starting on February 11, the District's Hazmat Task Force Unit and Rescue Squads began specialized training. As of today, 48 individuals on these teams already have been certified in levels 1,2, and 3 hazmat response. By April 19, all 125 individuals on these specialized units will be certified at all three levels. All individuals are being trained at the Maryland Fire and Rescue Institute (MFRI), which ensures that District firefighters will share a common training foundation with surrounding jurisdictions. On a parallel track, starting on February 17 we began a broader training initiative for the rest of the F/EMS Department, and by mid-October 2002, approximately 1,000 firefighters will be certified at hazmat levels 1 and 2. As you can see, our first priority is to ensure that our

first responders are equipped and trained and that our technological and communications infrastructure is in place, as these are the pillars on which the success of an effective response will stand.

In fact, our actual expenditures are lower than our first quarter expenditure projections; however, this was not unexpected during this initial ramp up period. With our expenditure tracking system in place, I have no doubt that we will expend all of these funds timely and to the benefit of all of the residents and workers in the District.

I am pleased to report that as a city, we are developing performance standards and measurements for all agencies within the District of Columbia participating in the emergency management program. Every agency director in the District has in his or her performance contract with the Mayor a requirement that he or she participate in the relevant planning groups and training sessions. We are also developing specific performance standards for the expenditure of these funds.

These preparedness efforts and budget allocations move the District closer to the goal of becoming the first city to meet the national standards for emergency management and business continuity programs endorsed by FEMA, the National Emergency Management Association, and the International Association of Emergency Managers. Meeting these standards will position Washington, D.C. to be the first city accredited under the Emergency Management Accreditation Program, once the program is online.

The District has coordinated closely with numerous federal agencies to enhance communication and understanding of roles and responsibilities in the event of a major public emergency. The District has engaged representatives from the U.S. Department of Energy, U.S. Department of Transportation, Environmental Protection Agency, U.S.

Army Corps of Engineers (USACE), and the Federal Emergency Management Agency (FEMA) in the development of the DRP and participation in the Task Force. EMA has also been working with the Metropolitan Washington Council of Governments in improving information sharing for a response to a major public emergency among the 17 governmental jurisdictions. In addition, the Department of Public works is working with USACE and FEMA in developing a regional debris management plan.

I am also participating in a federal task force lead by the White House examining emergency preparedness and security issues for the National Capital Region. This task force's main objective is to ensure the safety and security for citizens and visitors of the Washington DC Metropolitan Area.

Representatives from the District participated in the 2002 Senior Leaders' Seminar hosted by the U.S. Army Corps of Engineers in cooperation with FEMA. Participants in this table top exercise included the Federal Bureau of Investigation, U.S. Department of Health and Human Services, Secret Service, Office of Homeland Security, Department of the Army, State of Virginia, State of Maryland, and the American Red Cross. The focus of the seminar was to examine major issues that may impede effective response to a terrorism incident in the District of Columbia, highlighting the need for strong regional coordination in any major terrorist incident in the DC Metropolitan area, and testing the interoperability of the District and Federal Response Plans.

Furthermore, because of Washington's status as the nation's capital, District officials developed a close working relationship with the Office of Homeland Security to ensure that sufficient information is communicated when terrorism alerts are issued.

As a member of the National League of Cities' Homeland Security Task Force, Mayor Williams is on the forefront of discussions on how the nation will work together to ensure that American citizens are protected and that they have meaningful ways to participate in civil preparedness by volunteering in the communities or with their local police or health departments. These discussions will contribute to additional federal actions, and provide guidance to strengthen emergency planning and response efforts in cities around the country.

We have come a long way in the seven months since September 11, but we recognize that there is much to do in our own city, in our region, and in our partnership with the federal government. We continue to focus on improving our communications and coordination through the Metropolitan Washington Council of Governments, the D.C. White House Task Force Committee on Emergency Preparedness, and in our relationships with our counterpart agencies in the surrounding jurisdictions. We hope that the citizens of the District of Columbia, those who work here, and the more than 20 million people who visit annually know that this city is well prepared for the events that we all hope and pray will never happen.

Through coordination with regional and federal partners, regularly scheduled exercises, and enforcement of new anti-terrorism laws, the District will ensure it is prepared to face any emergency situation. The District has taken critical steps towards achieving a high level of emergency preparedness by completing the District Response Plan and allocating federal funds to update the emergency response infrastructure. All of these actions will ensure that the District's most valuable resources, her citizens, are safe and sound.